

REMARKS

Claims 22-23, 25-34, 36-45, and 47-48 are currently pending in the application. Claims 24, 35, and 46 are canceled by this amendment, and Claims 1-21 were canceled by a previously-filed amendment.

Claim 22 has been amended by adding the phrase “when a product is redeemed, providing privileges to a purchaser who agreed to permit product redemption in accordance with preestablished redemption points” at lines 31-32, which is the substance of now-canceled Claim 24. Claim 25 has been amended to depend from Claim 22 instead of Claim 24.

In addition, Claim 32 has been amended at lines 30-31 by adding the phrase “the product management system, upon redemption of product, awarding redemption points to a purchaser who has agreed to permit product redemption,” which is the substance of now-canceled Claim 35. Claims 36 and 37 have been amended to depend from Claim 32 instead of Claim 35. Claim 32 (lines 30-31), Claim 36 (line 2), and Claim 37 (line 2) now refer to “redemption points” instead of “privilege credits” in order to maintain consistency with the terminology of Claims 22 and 25 (and of Claims 44 and 47, which follow).

Finally, Claim 44 has been amended at lines 33-34 by adding the phrase “when a product is redeemed, providing privileges to a purchaser who agreed to permit product redemption in accordance with preestablished redemption points,” which is the substance of now-canceled Claim 46. Claim 47 has been amended to depend from Claim 44 instead of Claim 46.

No new matter has been added.

The claimed invention is directed to a method, a system, and a computer-code-implemented method whereby an original purchaser of a product, which may be a ticket, is enabled to register a willingness to redeem the product in exchange for a replacement product and redemption points if the seller determines to provide the product to a second

purchaser instead of to the first purchaser. As noted in the response to the previous office action, redemption is at the core of the claimed invention. More particularly, it is redemption using a replacement product plus redemption points.

When a product is not available to fulfill a purchase request, the claimed invention determines whether previous purchasers of the product have registered conditions on which they are willing to permit the seller to redeem the product in exchange for a replacement product plus redemption points. (Specification, page 4, lines 2-6) When such a purchaser is found, the claimed invention determines whether a replacement product that satisfies the redemption conditions is available to be provided. If such a replacement product is available, the original product is redeemed from the first purchaser in exchange for the replacement product and a reward in the form of redemption points. (Specification, page 6, lines 8-10) The original product may then be provided to the second purchasers.

Claims 22-48 have been rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,658,390 to Walker et al. Applicant respectfully traverses on the basis that the disclosure of Walker et al. does not anticipate the use of redemption points as an incentive to first purchasers, whereas the award of redemption points is required by the amended versions of independent Claims 22, 32, and 44, from which the other claims of the claimed invention depend.

The disclosure of Walker et al. teaches a system and method for reselling a previously sold product, in which a seller may recall a product from a first purchaser in exchange for cash or a substitute product, in order to enable the seller to resell the product to a second purchaser. While Walker et al. teach the use of currency-based incentives, such as a \$100 coupon in addition to the original price of the product (Walker et al., Specification at column 3, lines 53-54), Walker et al. do not anticipate the use of redemption points to provide first purchasers with an incentive to accept recall of a product by the seller. Thus, independent Claims 22, 32, and 44 (as currently amended to include the redemption-point requirement of now-canceled Claims 24, 35, and 46) are not

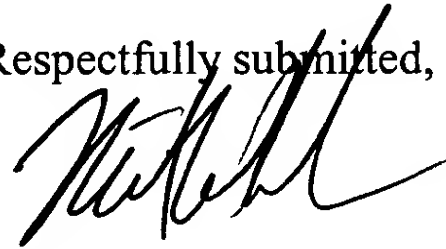
anticipated by Walker et al. As noted in the preceding paragraph, the remaining claims all depend from independent Claims 22, 32, and 44.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 22 to 48 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0510.

Respectfully submitted,



Michael E. Whitham
Registration No. 32,635

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190
Tel. (703) 787-9400
Fax. (703) 787-7557